

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
SOUTHWESTERN DIVISION**

United States of America,)	
	Plaintiff,)
vs.)	Case No. 06-5041-01-CR-SW-FJG
Cecil Williams,)	
	Defendant.)

ORDER

Pending before the Court is defendant's motion to suppress tangible evidence and statements (Doc. #16), filed October 16, 2006, and the government's response (Doc. #26), filed November 6, 2006.

On December 6, 2006, Chief United States Magistrate James C. England held an evidentiary hearing on the pending motion to suppress. Thereafter, on January 12, 2007, Chief Magistrate England entered a report and recommendation (Doc. #34) which recommended denying the above-mentioned motion. Objections to the report and recommendation and request for re-hearing were filed by defendant on January 25, 2007 (Doc. #35).

The Court, after independent review of the record and applicable law, adopts and incorporates by reference herein, the magistrate's findings and conclusions. Therefore, the Court finds that defendant's motion to suppress tangible evidence and statements (Doc. #16), filed October 16, 2006, must be denied.

Accordingly, it is

ORDERED that the Chief Magistrate's findings and conclusions are hereby adopted and incorporated herein by reference. It is further

ORDERED that defendant's motion to suppress tangible evidence and statements (Doc. #16), filed October 16, 2006, is denied.

Defendant's request for rehearing with the District Court is denied. The Court further finds that the issues presented by defendant are resolvable by the record and, therefore,

no rehearing will be granted.

/s/Fernando J. Gaitan, Jr.
Judge Fernando J. Gaitan, Jr.
Chief United States District Judge

Dated: 1/31/07
Kansas City, Missouri